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Date: 29 November 2023
Our ref: 63971/01/NG/26934560v2

Dear Mr White

M&S Fosse Park Shopping Park – application for external alterations

On behalf of our client, Marks and Spencer plc (M&S), we are pleased to enclose an application for full planning permission for external alterations to the M&S store at Fosse Park Shopping Centre.

Application Submission

The application has been submitted via the Planning Portal (ref. PP-12641090) and comprises the following documents:

- Completed application form and relevant certificates;
- Site Location Plan (drawing ref. 0369-LFP173-A-402 rev. 07);
- Proposed Site Plan (drawing ref. 0369-LFP173-A-401 rev. 03);
- Existing Elevations (drawing ref. 0369-LFP173-A-404 rev. 04);
- Proposed Elevations External Alterations (drawing ref. 0369-LFP173-A-405 rev. 09);
- Proposed Elevations External Alterations Goods Canopy Extension (drawing ref. 0369-LFP173-A-407);
- Existing Plant Area (drawing ref. 0369-LFP173-A-408 rev. 01); and
- Proposed Plant Area (drawing ref. 0369-LFP173-A-409 rev. 01) ; and
- Existing & Proposed Elevation Location Plans (drawing ref. 0369-LFP173-A-413).

Following discussions with Council officers, payment in respect of the requisite application fee (£924, plus admin fee) has been submitted via the Planning Portal.

Context of Application

The proposed external alterations relate to the existing M&S unit (Unit 9) at Fosse Park Shopping Park.

Fosse Park has an extensive planning history. The original planning permission for the retail park was granted on appeal in 1988 (LPA ref. 86/1429/1/OX). Planning permission was granted in 1999 for an extension to Unit 9 so that it adjoined M&S (99/0036/1/PX), and there have been a number of other minor alterations to the M&S store/Unit 9 over the years, including 91/1174/1/PX, 92/0877/1/PX and 00/01491/1/PX.

More recently, planning permission was granted on 31 March 2023 for “external alterations to the front elevations of Unit 1A and 9” (ref. 22/1154/FUL). This permission proposed improvements to the dated façades on the front (eastern) elevation that extends along part of the M&S unit.

Proposed Development

The proposed development will upgrade and modernise the rest of the elevations to the M&S unit by enhancing the aesthetic quality of the façade, to match the details as approved under permission ref. 22/1154/FUL.

The proposals will respect the massing and height of the existing terrace and surrounding shopping centre. The existing outdated entrance features and cladding will be removed, and the proposed works will provide consistency across the retail terrace. The proposed works use high quality materials and provide a qualitative improvement and modern fresh retailing environment.

In addition, as part of the works to the M&S unit, some of the plant at roof level will be replaced and upgraded.

The proposed works are summarised below.

Front (east) elevation

Most of the alterations to Elevation A have already been consented (as shown on the drawing) and the materials for the remainder of Elevations A and B will match with planning permission ref. 22/1154/FUL.

The approved details for this elevation will continue for the remainder of the façade, with new white aluminium cassette cladding above new Staffordshire Blue engineering brick with black mortar (as shown on Elevations A and B on the Proposed Elevations External Alterations drawing (ref. 0369-LFP173-A-405 rev. 09)).

Towards the northern end of the elevation (Elevation B), a new main entrance portal will replace the existing store entrance, with a new tiled entrance portal, and new shopfront windows will be installed either side of the new entrance.

At the northern corner, new shopfront windows will replace the existing and will infill the redundant store entrance.

Towards the southern end of the east elevation, a new fire exit is to be installed (as shown on Elevation A).

The external alterations include revised signage zones, and the updated signage will be subject to separate applications for advertisement consent.

Side (north) elevation

The proposed details of this elevation are shown as Elevation C on the Proposed Elevations External Alterations drawing (ref. 0369-LFP173-A-405 rev. 09).

The existing entrance to the food hall is to be removed. A new food hall entrance portal is proposed towards the eastern end of the elevation, which will comprise a new tiled entrance portal and new glazing / entrance doors.

At the eastern corner, new shopfront windows will replace the existing and will infill the redundant store entrance. Additional shopfront glazing will be installed in the middle of the elevation.

New white aluminium cassette cladding is proposed, and the existing brickwork below will be retained and tinted black.

Towards the western end of the elevation, a new fire exit is to be installed.

The external alterations include revised signage zones, and the updated signage will be subject to separate applications for advertisement consent.

Front 'corner' (south) elevation

The proposed details of this elevation are shown as Elevation E on the Proposed Elevations External Alterations drawing (ref. 0369-LFP173-A-405 rev. 09).

The details for this elevation replicate the front (east) elevation, with new white aluminium cassette cladding above new Staffordshire Blue engineering brick with black mortar, and replacement glazing.

Rear elevations

The proposed details of the rear elevations are shown as Elevations D and E on the Proposed Elevations External Alterations drawing (ref. 0369-LFP173-A-405 rev. 09) and as Proposed Elevations A and B on Proposed Elevations External Alterations Goods Canopy Extension (drawing ref. 0369-LFP173-A-407).

At the rear of the unit, a number of alterations and improvements are proposed to the loading bay, as follows:

- new and extended canopy to match the existing, with the canopy extended over the new scissor lift;
- extended platform to match the existing, to connect the new scissor lift to existing ramp platform;
- new escape stairs;
- new scissor lift;
- new raised platform to connect the fire escape routes to the extended goods platform;
- new raised walkway; and
- removal of the existing single storey storage building.

In addition on Elevation E, new fire escape doors and steps are proposed.

Roof plant

As part of the works to the M&S unit, some of the plant at roof level will be replaced and upgraded. As shown on the existing plan, there is already a significant amount of plant located at roof level. While the precise specifications of the new plant equipment have not yet been finalised, the submitted drawings identify the existing roof plant area and the proposed expansion of this area, where plant and equipment is located behind the parapet roof.

Full details of all the proposed alterations are shown on the submitted planning drawings.

Background

The planning application was originally submitted via the Planning Portal (ref. PP-12358407) on the 29th August 2023. Following discussions with officers, clarifications were requested on the following matters:

- The approach to the submission details of the proposed plant equipment;
- Demarcation of the access road for the delivery good vehicles to/from the main highway; and
- Interpretation of Fee Regulations with regards to floorspace beneath a proposed canopy.

Amended plans

Further to Lichfields' engagement with the Council on the necessary validation requirements, the submission has been amended as follows:

Table 1: Substituted plans

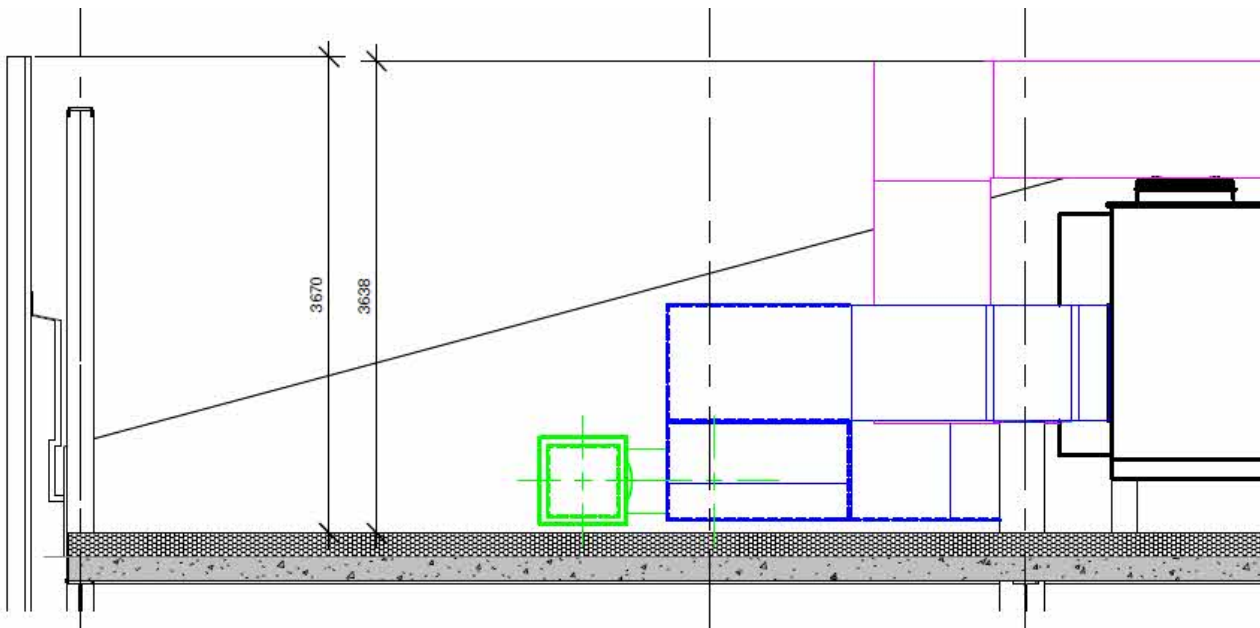
Drawing Title	Previous Drawing ref.	Revised Drawing ref.	Latest Drawing ref.
Site Location Plan	0369-LFP173-A-402 rev. 05	0369-LFP173-A-402 rev. 07	0369-LFP173-A-402 rev. 07
Proposed Site Plan	0369-LFP173-A-401 rev. 01	0369-LFP173-A-401 rev. 03	0369-LFP173-A-401 rev. 03
Existing Elevations	0369-LFP173-A-404 rev. 02	0369-LFP173-A-404 rev. 04	0369-LFP173-A-404 rev. 04
Proposed Elevations External Alterations	0369-LFP173-A-405 rev. 07	0369-LFP173-A-405 rev. 09	0369-LFP173-A-405 rev. 09
Proposed Elevations External Alterations Goods Canopy Extension	0369-LFP173-A-407		0369-LFP173-A-407
Existing Plant Area	0369-LFP173-A-408 rev. 01		0369-LFP173-A-408 rev. 01
Proposed Plant Area	0369-LFP173-A-409 rev. 01		0369-LFP173-A-409 rev. 01

Drawing Title	Previous Drawing ref.	Revised Drawing ref.	Latest Drawing ref.
Existing & Proposed Elevation Location Plans	n/a	0369-LFP173-A-413	0369-LFP173-A-413

The changes to the original submission are summarized below:

- 1 A blue line has been added to the Site Location Plan (0369-LFP173-A-401 rev. 03) and Proposed Site Plan (0369-LFP173-A-401 rev. 02). This includes the access road for delivery vehicles from the main highway into the proposed new plant area.
- 2 The Site Location Plan (0369-LFP173-A-402 rev. 07) has been updated to include the outline of the existing and proposed canopy so that it is clear what is being demolished and the extent of the new canopy. Shaded hatching now clearly portrays the existing canopy (orange) and the proposed extended canopy (purple) to allow the Council to work out the overall floorspace for the new walkway/canopy and confirm their understanding of the application fee.
- 3 The existing elevations (0369-LFP173-A-404 rev. 04) and the proposed elevations external alterations (0369-LFP173-A-405 rev. 09) have been amended to remove the signage. These will be sought through a separate application for advertisement consent.
- 4 In order to provide the Council with comfort that the plant wouldn't be highly visible, we can confirm that the plant would fall within a maximum height parameter of 3.67m, which is the height of the existing parapet. This is shown in the indicative section at Figure 2, below and will be confirmed through the conditioned details.

Figure 1 Indicative section of proposed plant equipment demonstrating the maximum height parameter on M&S (Unit 9) Fosse Retail Park



Source: Lewis & Hickey on behalf of M&S

Planning Policy Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where an adopted development plan contains relevant policies, an application for planning permission shall be determined in accordance with the plan, unless material considerations indicate otherwise.

The statutory development plan for this site comprises the Blaby Core Strategy, adopted February 2013.

Other material considerations include guidance contained within the National Planning Policy Framework (NPPF, 2023).

The design of the external alterations to the unit is in keeping with the recent investments at Fosse Park in which the design of building façade is seen as a key component of an enhanced shopping environment. The contemporary design uses high quality materials, is attractive, and fit for the future purpose of the M&S unit. The overall improvements reflect the existing character of Fosse Park, will enhance its local distinctiveness and will improve the overall shopping experience at Fosse Park.

The proposal therefore complies with Core Strategy Policy CS2 'Design of New Development', which states that design should be appropriate in its context and should take any opportunities available to improve the character and quality of an area and the way it functions.

Conclusion

This application seeks permission for alterations to the elevations of the existing M&S store (Unit 9) at Fosse Park Shopping Centre. These alterations accord with the recently approved improvements to Unit 1A and 9 (ref. 22/1154/FUL). The proposed development will significantly improve the appearance of the Unit and create an attractive and contemporary façade.

We trust that the enclosed drawings provide sufficient information to validate and determine this application. If you have any queries in the meantime, please do not hesitate to contact me or my colleague Neil Goldsmith.

Yours sincerely


James Singer

Associate Director

BSc (Hons) MSc MRTPI